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ART UNIT	PAPER NUMBER
2612	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/037,322	FREDLUND ET AL.
	Examiner	Art Unit
	Nelson D. Hernandez	2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 October 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15 and 18-25* is/are rejected.

7)☒ Claim(s) *16 and 17* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 January 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 5, 2005 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 6, 11, 13, 15, 18 and 23 have been considered but are moot in view of the new ground(s) of rejection.

3. In the previous Office Action mailed on September 21, 2005 claims 24 and 25 were indicated to be allowable. However, upon further consideration, a new ground(s) of rejection is made in view of newly found prior art.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-15 and 18-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor, US Patent 5,956,083 in view of Wess, US Patent 6,198,544 B1.

Regarding claim 1, Taylor discloses a digital camera (Fig. 1) for capturing images to be provided to a lenticular apparatus, comprising: a digital camera (Fig. 1: 101) that can capture digital images; a memory (Fig. 1: 110) that stores the captured digital images; a processor (Fig. 1, items 114, 118 and 122) for processing the captured digital images; a display (Fig. 1: 102) for displaying a motion sequence of captured images; and a user interface (Fig. 1: 138) on the digital camera that enables a user to select a subset of the captured digital images and store the selected subset of the captured digital images in the memory prior to transmitting to a lenticular apparatus for constructing a lenticular hardcopy of the subset of the captured digital images, wherein the processor is used to produce a processed motion sequence that will be visible in the lenticular hardcopy (Col. 4, line 33 – col. 5, line 40; col. 6, line 37 – col. 7, line 53). Taylor also teaches that the display is used to provide the user with an accurate preview of a lenticular end product (Col. 5, lines 41-57; col. 7, lines 21-67).

Taylor fails to teach that the processed motion sequence includes adjacency effects that will be visible in the lenticular hardcopy and that the display provides the user with the quality correlating to large temporal sampling differences of the lenticular end product.

However, Wess teaches a system for capturing images from a video-tape to produce motion cards comprising a memory (Col. 3, line 52 – col. 4, line 15; col. 4, lines

30-56) for storing a sequence of images from the video-tape; a processor (Fig. 1: 22) for processing the images; a display (Fig. 1: 12) for display for displaying a motion sequence of captured images; a user interface (Figs. 3A-3B; col. 4, lines 7-56; col. 5, lines 16-47) that enables the user to select a subset of the captured images and store the selected subset of the captured images in the memory prior to transmitting to a lenticular apparatus (printer shown in fig. 1: 24; col. 3, line 52 – col. 4, line 16) for constructing a lenticular hard copy of the subset of the captured images, wherein the processor is used to produce a processed motion sequence including adjacency effects (See fig. 2C, step 4, fig. 2D, step 5) that will be visible in the lenticular hardcopy, and the display is used to display the processed motion sequence to provide the user with an accurate preview of a lenticular end product and its quality correlating to large temporal sampling differences (Col. 5, lines 16-57; col. 5, line 66 – col. 6, line 9; col. 7, lines 46-58).

Therefore, taking the combined teaching of Taylor in view of Wess as a whole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Taylor by making the processor to produce a processed motion sequence including adjacency effects that will be visible in the lenticular hardcopy, and the display being used to display the processed motion sequence to provide the user with an accurate preview of a lenticular end product and its quality correlating to large temporal sampling differences. The motivation to do so would have been to enable the user to improve the selection of the frames to be used in the formed motion card as suggested by Wess (Col. 2, line 60 – col. 3, line 3; see also abstract).

Regarding claim 2, Taylor discloses that the captured digital images are selected from a sequence of motion burst digital images (Col. 4, line 33 – col. 5, line 40).

Regarding claim 3, Taylor discloses that the sequence of motion burst digital images is displayed at a rate differing from a capture rate (Col. 4, line 43 – col. 5, line 40).

Regarding claim 4, Taylor discloses that the subset of captured digital images includes a number of frames corresponding to the lenticular hardcopy (Col. 4, line 43 – col. 5, line 40).

Regarding claim 5, Taylor discloses that the number of frames is dictated by the digital camera (Col. 4, line 43 – col. 5, line 40).

Regarding claim 6, Taylor discloses a digital camera for capturing images to be provided to a lenticular service provider, comprising: a digital camera (Fig. 1: 101) that can capture digital images; a memory (Fig. 1: 110) that stores the captured digital images; a user interface (Fig. 1: 138) that enables a user to select a subset of the captured digital images; a display (Fig. 1: 102) for displaying a motion sequence of captured images; a processing unit (Fig. 1, items 114, 118 and 122) that combines the selected subset of the captured digital images into a single formatted digital image for lenticular display; wherein the processing unit is used to produce a processed motion sequence that will be visible in a lenticular hardcopy; and wherein the single formatted digital image is stored in the memory (Fig. 1: 146) prior to the lenticular service provider constructing the lenticular hardcopy of the subset of the captured digital images (Col. 4,

line 33 – col. 5, line 40; col. 6, line 37 – col. 7, line 53). Taylor also teaches that the display is used to provide the user with an accurate preview of a lenticular end product (Col. 5, lines 41-57; col. 7, lines 21-67).

Taylor fails to teach that the processed motion sequence includes adjacency effects that will be visible in the lenticular hardcopy and that the display provides the user with the quality correlating to large temporal sampling differences of the lenticular end product.

However, Wess teaches a system for capturing images from a video-tape to produce motion cards comprising a memory (Col. 3, line 52 – col. 4, line 15; col. 4, lines 30-56) for storing a sequence of images from the video-tape; a processor (Fig. 1: 22) for processing the images; a display (Fig. 1: 12) for display for displaying a motion sequence of captured images; a user interface (Figs. 3A-3B; col. 4, lines 7-56; col. 5, lines 16-47) that enables the user to select a subset of the captured images and store the selected subset of the captured images in the memory prior to transmitting to a lenticular apparatus (printer shown in fig. 1: 24; col. 3, line 52 – col. 4, line 16) for constructing a lenticular hard copy of the subset of the captured images, wherein the processor is used to produce a processed motion sequence including adjacency effects (See fig. 2C, step 4, fig. 2D, step 5) that will be visible in the lenticular hardcopy, and the display is used to display the processed motion sequence to provide the user with an accurate preview of a lenticular end product and its quality correlating to large temporal sampling differences (Col. 5, lines 16-57; col. 5, line 66 – col. 6, line 9; col. 7, lines 46-58).

Therefore, taking the combined teaching of Taylor in view of Wess as a whole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Taylor by making the processor to produce a processed motion sequence including adjacency effects that will be visible in the lenticular hardcopy, and the display being used to display the processed motion sequence to provide the user with an accurate preview of a lenticular end product and its quality correlating to large temporal sampling differences. The motivation to do so would have been to enable the user to improve the selection of the frames to be used in the formed motion card as suggested by Wess (Col. 2, line 60 – col. 3, line 3; see also abstract).

Regarding claim 7, Taylor discloses that the captured digital images are selected from a sequence of motion burst digital images (Col. 4, line 33 – col. 5, line 40).

Regarding claim 8, Taylor discloses that the sequence of motion burst digital images is displayed at a rate differing from a capture rate (Col. 4, line 43 – col. 5, line 40).

Regarding claim 9, Taylor discloses that the subset of captured digital images includes a number of frames corresponding to the lenticular hardcopy (Col. 4, line 43 – col. 5, line 40).

Regarding claim 10, Taylor discloses that the number of frames is dictated by the digital camera (Col. 4, line 43 – col. 5, line 40).

Regarding claim 11, Taylor discloses a system (Fig. 1) for creating a lenticular hardcopy from captured images, comprising: a digital camera (Fig. 1: 101) that captures

digital images; a memory (Fig. 1: 110) for storing the captured digital images; a processor (Fig. 1, items 114, 118 and 122) for processing the captured digital images, a display (Fig. 1: 102) for displaying a motion sequence of captured images, a user interface (Fig. 1: 138) for selecting a subset of the captured digital images, wherein the processor is used to produce a processed motion sequence that will be visible in the lenticular hardcopy (Col. 4, line 33 – col. 5, line 40; col. 6, line 37 – col. 7, line 53). Taylor inherently discloses a communication channel that transmits the selected subset of the captured digital images to an apparatus that constructs the lenticular hardcopy from the selected subset of captured digital images when teaching that that a printer will be used to create the lenticular image formed (Col. 5, lines 24-40). Taylor also teaches that the display is used to provide the user with an accurate preview of a lenticular end product (Col. 5, lines 41-57; col. 7, lines 21-67).

Taylor fails to teach that the processed motion sequence includes adjacency effects that will be visible in the lenticular hardcopy and that the display provides the user with the quality correlating to large temporal sampling differences of the lenticular end product.

However, Wess teaches a system for capturing images from a video-tape to produce motion cards comprising a memory (Col. 3, line 52 – col. 4, line 15; col. 4, lines 30-56) for storing a sequence of images from the video-tape; a processor (Fig. 1: 22) for processing the images; a display (Fig. 1: 12) for display for displaying a motion sequence of captured images; a user interface (Figs. 3A-3B; col. 4, lines 7-56; col. 5, lines 16-47) that enables the user to select a subset of the captured images and store

the selected subset of the captured images in the memory prior to transmitting to a lenticular apparatus (printer shown in fig. 1: 24; col. 3, line 52 – col. 4, line 16) for constructing a lenticular hard copy of the subset of the captured images, wherein the processor is used to produce a processed motion sequence including adjacency effects (See fig. 2C, step 4, fig. 2D, step 5) that will be visible in the lenticular hardcopy, and the display is used to display the processed motion sequence to provide the user with an accurate preview of a lenticular end product and its quality correlating to large temporal sampling differences (Col. 5, lines 16-57; col. 5, line 66 – col. 6, line 9; col. 7, lines 46-58).

Therefore, taking the combined teaching of Taylor in view of Wess as a whole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Taylor by making the processor to produce a processed motion sequence including adjacency effects that will be visible in the lenticular hardcopy, and the display being used to display the processed motion sequence to provide the user with an accurate preview of a lenticular end product and its quality correlating to large temporal sampling differences. The motivation to do so would have been to enable the user to improve the selection of the frames to be used in the formed motion card as suggested by Wess (Col. 2, line 60 – col. 3, line 3; see also abstract).

Regarding claim 12, Taylor discloses that the subset of the captured digital images is selected from a sequence of motion burst digital images. (Col. 4, line 33 – col. 5, line 40).

Regarding claim 13, Taylor discloses a system (Fig. 1) for creating a lenticular hardcopy from captured images, comprising: a digital camera (Fig. 1: 101) that captures digital images; a memory (Fig. 1: 110) for storing the captured digital images, a user interface (Fig. 1: 138) for selecting a subset of the captured digital images; a processing unit (Fig. 1, items 114, 118 and 122) that combines the selected subset of the captured digital images into a single formatted digital image for lenticular display, wherein the processing unit is used to produce a processed motion sequence that will be visible in a lenticular hardcopy (Col. 4, line 33 – col. 5, line 40; col. 6, line 37 – col. 7, line 53). Taylor inherently discloses a communication channel that transmits the single formatted digital image to a service provider with an apparatus that constructs the lenticular hardcopy from the single formatted digital image when teaching that that a printer will be used to create the lenticular image formed (Col. 5, lines 24-40). Taylor also teaches that the display is used to provide the user with an accurate preview of a lenticular end product (Col. 5, lines 41-57; col. 7, lines 21-67).

Taylor fails to teach that the processed motion sequence includes adjacency effects that will be visible in the lenticular hardcopy and that the display provides the user with the quality correlating to large temporal sampling differences of the lenticular end product.

However, Wess teaches a system for capturing images from a video-tape to produce motion cards comprising a memory (Col. 3, line 52 – col. 4, line 15; col. 4, lines 30-56) for storing a sequence of images from the video-tape; a processor (Fig. 1: 22) for processing the images; a display (Fig. 1: 12) for display for displaying a motion

sequence of captured images; a user interface (Figs. 3A-3B; col. 4, lines 7-56; col. 5, lines 16-47) that enables the user to select a subset of the captured images and store the selected subset of the captured images in the memory prior to transmitting to a lenticular apparatus (printer shown in fig. 1: 24; col. 3, line 52 – col. 4, line 16) for constructing a lenticular hard copy of the subset of the captured images, wherein the processor is used to produce a processed motion sequence including adjacency effects (See fig. 2C, step 4, fig. 2D, step 5) that will be visible in the lenticular hardcopy, and the display is used to display the processed motion sequence to provide the user with an accurate preview of a lenticular end product and its quality correlating to large temporal sampling differences (Col. 5, lines 16-57; col. 5, line 66 – col. 6, line 9; col. 7, lines 46-58).

Therefore, taking the combined teaching of Taylor in view of Wess as a whole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Taylor by making the processor to produce a processed motion sequence including adjacency effects that will be visible in the lenticular hardcopy, and the display being used to display the processed motion sequence to provide the user with an accurate preview of a lenticular end product and its quality correlating to large temporal sampling differences. The motivation to do so would have been to enable the user to improve the selection of the frames to be used in the formed motion card as suggested by Wess (Col. 2, line 60 – col. 3, line 3; see also abstract).

Regarding claim 14, Taylor discloses that the subset of the captured digital images is selected from a sequence of motion burst digital images. (Col. 4, line 33 – col. 5, line 40).

Regarding claim 15, Taylor discloses a method of selecting motion burst still images for lenticular motion card display:

a) navigating through a set of motion burst still images such that a first endpoint is found (Col. 4, line 59 – col. 5, line 40);

b) navigating through the set of motion burst still images such that a second endpoint is found (Col. 4, line 59 – col. 5, line 40);

c) displaying the set of motion burst still images (Col. 4, lines 41-57);

d) selecting a subset of the motion burst still images corresponding to the second endpoint (Col. 4, line 59 – col. 5, line 40);

e) storing the subset of motion burst still images onto a memory device (Col. 4, line 59 – col. 5, line 40);

f) producing from the subset of motion burst still images, a processed motion sequence that will be visible in a lenticular hardcopy (Col. 4, line 33 – col. 5, line 40; col. 6, line 37 – col. 7, line 53) to provide the user with an accurate preview of a lenticular end product (Col. 5, lines 41-57; col. 7, lines 21-67).

g) displaying the processed motion sequence (Col. 5, lines 41-57), and

h) transmitting the subset of motion burst still images to an apparatus that constructs the lenticular hardcopy from the selected subset of motion burst still images (Col. 4, line 59 – col. 5, line 40).

Taylor fails to teach that the of producing a processed motion sequence includes adjacency effects that will be visible in the lenticular hardcopy to provide the user with the quality correlating to large temporal sampling differences of the lenticular end product.

However, Wess teaches a system for capturing images from a video-tape to produce motion cards comprising a memory (Col. 3, line 52 – col. 4, line 15; col. 4, lines 30-56) for storing a sequence of images from the video-tape; a processor (Fig. 1: 22) for processing the images; a display (Fig. 1: 12) for display for displaying a motion sequence of captured images; a user interface (Figs. 3A-3B; col. 4, lines 7-56; col. 5, lines 16-47) that enables the user to select a subset of the captured images and store the selected subset of the captured images in the memory prior to transmitting to a lenticular apparatus (printer shown in fig. 1: 24; col. 3, line 52 – col. 4, line 16) for constructing a lenticular hard copy of the subset of the captured images, wherein the processor is used to produce a processed motion sequence including adjacency effects (See fig. 2C, step 4, fig. 2D, step 5) that will be visible in the lenticular hardcopy, and the display is used to display the processed motion sequence to provide the user with an accurate preview of a lenticular end product and its quality correlating to large temporal sampling differences (Col. 5, lines 16-57; col. 5, line 66 – col. 6, line 9; col. 7, lines 46-58).

Therefore, taking the combined teaching of Taylor in view of Wess as a whole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Taylor by producing a processed motion sequence including adjacency

effects that will be visible in the lenticular hardcopy to provide the user with an accurate preview of a lenticular end product and its quality correlating to large temporal sampling differences. The motivation to do so would have been to enable the user to improve the selection of the frames to be used in the formed motion card as suggested by Wess (Col. 2, line 60 – col. 3, line 3; see also abstract).

Regarding claim 18, Taylor discloses a method for selecting digital images for lenticular motion card display:

a) processing a set of digital images to create corresponding adjacency effects (Col. 4, line 33 – col. 5, line 40; col. 6, line 37 – col. 7, line 53);

b) displaying the set of digital images to provide the user with an accurate preview of a lenticular end product and its quality correlating to large temporal sampling differences (Col. 5, lines 41-57);

c) storing the set of digital images onto a memory device (Col. 4, line 59 – col. 5, line 40); and

d) transmitting the set of digital images to an apparatus that constructs a lenticular hardcopy from the set of digital images with adjacency effects (Col. 4, line 59 – col. 5, line 40).

Taylor fails to teach displaying the set of digital images with adjacency effects to provide the user with its quality correlating to large temporal sampling differences

However, Wess teaches a system for capturing images from a video-tape to produce motion cards comprising a memory (Col. 3, line 52 – col. 4, line 15; col. 4, lines

30-56) for storing a sequence of images from the video-tape; a processor (Fig. 1: 22) for processing the images; a display (Fig. 1: 12) for display for displaying a motion sequence of captured images; a user interface (Figs. 3A-3B; col. 4, lines 7-56; col. 5, lines 16-47) that enables the user to select a subset of the captured images and store the selected subset of the captured images in the memory prior to transmitting to a lenticular apparatus (printer shown in fig. 1: 24; col. 3, line 52 – col. 4, line 16) for constructing a lenticular hard copy of the subset of the captured images, wherein the processor is used to produce a processed motion sequence including adjacency effects (See fig. 2C, step 4, fig. 2D, step 5) that will be visible in the lenticular hardcopy, and the display is used to display the processed motion sequence to provide the user with an accurate preview of a lenticular end product and its quality correlating to large temporal sampling differences (Col. 5, lines 16-57; col. 5, line 66 – col. 6, line 9; col. 7, lines 46-58).

Therefore, taking the combined teaching of Taylor in view of Wess as a whole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Taylor by producing a processed motion sequence including adjacency effects that will be visible in the lenticular hardcopy to provide the user with an accurate preview of a lenticular end product and its quality correlating to large temporal sampling differences. The motivation to do so would have been to enable the user to improve the selection of the frames to be used in the formed motion card as suggested by Wess (Col. 2, line 60 – col. 3, line 3; see also abstract).

Regarding claim 19, Taylor discloses that the set of digital images is selected from a sequence of motion burst digital images (Col. 4, line 33 – col. 5, line 40).

Regarding claim 20, Taylor discloses that the sequence of motion burst digital images is displayed at a rate differing from a capture rate (Col. 4, line 43 – col. 5, line 40).

Regarding claim 21, Taylor discloses that the set of digital images includes a number of frames corresponding to the lenticular hardcopy (Col. 4, line 43 – col. 5, line 40).

Regarding claim 22, Taylor discloses that the number of frames is dictated by a digital camera (Col. 4, line 43 – col. 5, line 40).

Regarding claim 23, Taylor discloses a digital camera (Fig. 1) for capturing motion images to be provided to a lenticular service provider, comprising: a digital camera (Fig. 1: 101) that can capture motion burst digital images according to predetermined parameters of a lenticular media; a memory (Fig. 1: 110) that stores the captured motion burst digital images; a processor (Fig. 1, items 114, 118 and 122) for processing the captured motion burst digital images; and a display (Fig. 1: 102) for displaying a motion sequence of captured images, wherein the processor is used to produce, from the captured motion burst digital images, a processed motion sequence that will be visible in a lenticular hardcopy produced using the lenticular media and the display is used to display the processed motion sequence prior to transmitting a selected subset of the captured digital images (Col. 4, line 33 – col. 5, line 40; col. 6, line 37 – col. 7, line 53).

Taylor fails to teach that the processor produces, from the captured motion burst digital images, a processed motion sequence including adjacency effects that will be visible in a lenticular hardcopy produced using the lenticular media.

However, Wess teaches a system for capturing images from a video-tape to produce motion cards comprising a memory (Col. 3, line 52 – col. 4, line 15; col. 4, lines 30-56) for storing a sequence of images from the video-tape; a processor (Fig. 1: 22) for processing the images; a display (Fig. 1: 12) for display for displaying a motion sequence of captured images; a user interface (Figs. 3A-3B; col. 4, lines 7-56; col. 5, lines 16-47) that enables the user to select a subset of the captured images and store the selected subset of the captured images in the memory prior to transmitting to a lenticular apparatus (printer shown in fig. 1: 24; col. 3, line 52 – col. 4, line 16) for constructing a lenticular hard copy of the subset of the captured images, wherein the processor is used to produce a processed motion sequence including adjacency effects (See fig. 2C, step 4, fig. 2D, step 5) that will be visible in the lenticular hardcopy, and the display is used to display the processed motion sequence to provide the user with an accurate preview of a lenticular end product and its quality correlating to large temporal sampling differences (Col. 5, lines 16-57; col. 5, line 66 – col. 6, line 9; col. 7, lines 46-58).

Therefore, taking the combined teaching of Taylor in view of Wess as a whole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Taylor by making the processor to produce a processed motion sequence including adjacency effects that will be visible in the lenticular hardcopy. The

motivation to do so would have been to enable the user to improve the selection of the frames to be used in the formed motion card as suggested by Wess (Col. 2, line 60 – col. 3, line 3; see also abstract).

6. Claim 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fellegara, US Patent 5,845,166 in view of Wess, US 6,198,544 B1.

Regarding claims 24 and 25, Fellegara discloses a hybrid film/digital camera (See figs. 1, 6 and 19: 10) for capturing images to be provided to a printer (Col. 15, lines 21-51; col. 17, lines 14-32; col. 19, lines 40-63), comprising: a camera that can simultaneously capture digital images (using CCD shown in fig. 6: 94) and film images (Using a film as shown in film transport unit 60) in a one-to-one matched relationship; a memory (memory connected to memory card connector 130) that stores the captured digital images; and a user interface (Fig. 6: 74; col. 4, line 35 – col. 5, line 5) on the camera that enables a user to select a subset of the captured film images, corresponding to displayed digital images (Col. 8, lines 6-36; col. 13, lines 17-31; col. 13, line 58 – col. 14, line 26; col. 16, lines 23-47), and record the selection on film (Col. 15, lines 21-51; col. 20, lines 10-35) prior to delivering a plurality of film images for processing (Col. 8, lines 6-36; col. 13, lines 17-31), such that the printer can read the selection on film and construct hardcopy of the selected subset of the captured film images (Col. 15, lines 21-51).

Fellegara fails to teach that the images are provided to a lenticular apparatus; a processor that creates adjacency effects from the captured digital and film images and

that the selected subset of the captured film images, corresponds to displayed digital images and adjacency effects.

However, Wess teaches a system for capturing images from a video-tape to produce motion cards comprising a memory (Col. 3, line 52 – col. 4, line 15; col. 4, lines 30-56) for storing a sequence of images from the video-tape; a processor (Fig. 1: 22) for processing the images; a display (Fig. 1: 12) for display for displaying a motion sequence of captured images; a user interface (Figs. 3A-3B; col. 4, lines 7-56; col. 5, lines 16-47) that enables the user to select a subset of the captured images and store the selected subset of the captured images in the memory prior to transmitting to a lenticular apparatus (printer shown in fig. 1: 24; col. 3, line 52 – col. 4, line 16) for constructing a lenticular hard copy of the subset of the captured images, wherein the processor is used to produce a processed motion sequence including adjacency effects (See fig. 2C, step 4, fig. 2D, step 5) that will be visible in the lenticular hardcopy, and the display is used to display the processed motion sequence to provide the user with an accurate preview of a lenticular end product and its quality correlating to large temporal sampling differences (Col. 5, lines 16-57; col. 5, line 66 – col. 6, line 9; col. 7, lines 46-58).

Therefore, taking the combined teaching of Fellegara in view of Wess as a whole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Fellegara by providing the images to a lenticular apparatus, to have a processor that creates adjacency effects from the captured digital and film images to produce a processed motion sequence including adjacency effects

that will be visible in the lenticular hardcopy and that the selected subset of the captured film images, corresponds to displayed digital images and adjacency effect. The motivation to do so would have been to produce a processed motion sequence including adjacency effects that will be visible in the lenticular hardcopy and to enable the user to improve the selection of the frames to be used in the formed motion card as suggested by Wess (Col. 2, line 60 – col. 3, line 3; see also abstract).

Allowable Subject Matter

1. **Claims 16 and 17** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

2. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 16, the main reasons for indication of allowable subject matter is because the prior art of records fails to teach or reasonably suggest that the selection of the subset of the motion burst still images is responsive to a user's selection of minimum and maximum clarity of the set of motion burst still images in conjunction with limitations in claim 15.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nelson D. Hernandez whose telephone number is (571) 272-7311. The examiner can normally be reached on 8:30 A.M. to 6:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc Yen Vu can be reached on (571) 272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Nelson D. Hernandez
Examiner
Art Unit 2612

NDHH
December 6, 2005

NGOC-YEN VU
PRIMARY EXAMINER